



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/458,569	12/08/1999	JOEL E. SHORT	9506-9C	8999

826 7590 12/30/2002

ALSTON & BIRD LLP
BANK OF AMERICA PLAZA
101 SOUTH TRYON STREET, SUITE 4000
CHARLOTTE, NC 28280-4000

EXAMINER

GECKIL, MEHMET B

ART UNIT	PAPER NUMBER
----------	--------------

2142

DATE MAILED: 12/30/2002

9

Please find below and/or attached an Office communication concerning this application or proceeding.

11

Office Action Summary

Application No.

09/458,569

Applicant(s)

SHORT ET AL.

Examiner

Mehmet Geckil

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

1. Claims 1-16 are presented for examination.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bowker et al (6,317,790).
4. Bowker et al taught the invention substantially as claimed including a system for letting a user to access to a destination network or a restricted information, comprising:
 - a) receiving at the gateway device or server a request from the user for access to the destination network (figure 4, element 406);
 - b) determining if the user is entitled access to the destination network based upon a user profile corresponding to the user and stored within a user profile database in communication with the gateway device (col 2, line 15 et seq, and col 7, line 19 et seq);
 - c) redirecting the user to a cgi script or page when the user profile does not include rights to access the destination network (col 13, lines 32-37, and col 14, line 14 et seq.)It would have been obvious to one of ordinary skill in the network access control art at the time of the invention that the claimed invention differed from the teachings Bowker

Art Unit: 2142

et al only by a degree, e.g., in the recitation of user access to a destination versus user access to a restricted page but this is no more than a difference in a degree. Also, Bowker specified redirection to a cgi script or html page instead of to a login page but login page is a more specific version of the html page and both are used for limiting access and authentication. See, for example, col 14, lines 30-32, where it says that the redirection is not applied if the user's profile is ok, e.g., if it is not ok then the redirection will apply. Also see the same column prior to these lines, e.g. lines 21 et seq, and col 14 lines 59-67) where it explains how the well known web server access restriction tool .htaccess file is used for access restriction trigger and for redirection. The claims also recites that the user's computer remains configured for accessing the home network, and no additional configuration software need to be installed on the user's computer to access the destination network. This phrase describes no more then well known DHCP included in the gateways. All gateways or routers include a DHCP server to assign IP addresses to the user computers and this allows no change or new program installation on the user computers. E.g., everyone who configured any kind of a windows control panel, network access program by clicking the network icon and selecting the proper access device properties well knows how to select a radio button which says that "get the IP address automatically from the gateway" uses the DHCP server program at the server or gateway to get the IP address for the client automatically. And the user does not need to change any configuration anymore. These are all very well known in the network access control art. Moreover, usually the gateways are run at the ISP level and since ISPs are commercial entities providing access to users for a charge, obviously

Art Unit: 2142

they use databases monitoring user utilization of ISP services and charge accordingly, e.g. history of the user usage.

5. Other claimed features are all obvious variations of the well known features of the access control art, e.g. firewall and gateways. Examiner will cite under the form 892 references showing these well known features. For example, Focsaneanu et al (5,991,292) at col 16 lines 27-37) taught redirecting services to a different destination function, e.g. logging into an access module different from the "home" access module, and activating a remote profile.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mehmet Geckil whose telephone number is (703) 305-9676. The examiner can normally be reached on Monday through Friday from 6:30 A.M. to 3:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Mark Powell, can be reached on (703) 305-9703. The fax phone numbers for the organization where this application or proceeding is assigned are listed hereinbelow.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800/4700. Customer service number is (703) 306-5631.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 746-7238 (for After final communications);

Or:

Art Unit: 2142

(703) 746-7239 (for formal communications intended for entry)

Or:

(703) 746-7240 (for status inquiry or informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

12/24/02

**MEHMET B. GECKIL
PRIMARY EXAMINER**

Meht B. Geckil